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Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Security Council
Sixty-first year

Identical letters dated 5 January 2006 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

The situation in the Occupied Palestinian Territory, including East Jerusalem, has seen an unprecedented sharp increase in military aggression and unilateral measures by Israel, the occupying Power. Over the past two weeks, Israel, the occupying Power, has declared and begun implementing a unilateral plan to create a so-called "buffer zone" in the northern Gaza Strip. This dangerous unilateral step, which effectively reverses the occupation's exit from the Gaza Strip, has been implemented through the incessant shelling and bombing of the northern Gaza Strip, including residential neighbourhoods. In fact, the occupying Power openly called on the Palestinian residents to vacate the targeted area, implicitly threatening them if they decided to stay in their homes and fields. The results have been devastating and have terrorized thousands of defenceless civilians living in the targeted area. Due to the unabated Israeli shelling and bombing of the northern Gaza Strip, at least four Palestinian civilians have been killed and scores of others injured. Additionally, substantial damage to homes, roads and bridges in the area has been inflicted.

Also in relation to the Gaza Strip, Israel, the occupying Power, continues to violate the internationally brokered Agreement on Movement and Access, reached on 15 November 2005. According to the Agreement, Israel was to allow bus convoy traffic between the Gaza Strip and the West Bank on Thursday, 15 December 2005. To date, the occupying Power continues to refuse to implement the Agreement, which is vital for the economic, political and social health of the Gaza Strip, the West Bank and East Jerusalem, as the Quartet, the World Bank and the rest of the international community confer.

These unilateral aggressive measures are potentially devastating to the efforts made by the international community to revive the Quartet road map and rebuild confidence. They are in flagrant violation of Israel's obligations under international humanitarian law as an occupying Power. Additionally, they expose Israel's intention to maintain the stranglehold and effective control over the Gaza Strip despite the withdrawal of its troops from within it. Moreover, these actions further jeopardize the Palestinian Authority's efforts to restore order in the Gaza Strip in

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preparation of the upcoming Legislative Council elections. More dangerously, these actions confirm the Israeli Government's intention to continue taking unilateral measures, including the consolidation of its occupation of East Jerusalem and the West Bank while denying the legitimate rights of Palestinians.

In addition to the continued military aggression of Israel against the Gaza Strip, the occupying Power has also carried out repeated military incursions into other Palestinian cities and villages, wreaking havoc and spreading death in the midst of Palestinian families. Furthermore, the continued escalation of the illegal Israeli policy of extra judicially executing Palestinian activists, in utter disregard of international law and the worth of human life, including the lives of innocent Palestinian bystanders who are often injured and killed in these vicious attacks, is also cause for serious concern. The latest such assassination was carried out yesterday, 4 January 2006, in the village of Taramah, south of Hebron, in the West Bank, when special Israeli occupation forces chased and shot dead 38-year-old Mustafa Ibrahim Mohamed. On 3 January, two activists, Said Abu Al-Jidian and Akram Qadas, were also assassinated by an air strike that targeted their car as it moved through a busy residential street. Prior to these latest incidents, a Palestinian activist, Khader Habib, survived an assassination attempt when an Israeli surveillance plane targeted his car on 14 December as he was driving in a crowded Gaza City residential neighbourhood. On the same day, four other Palestinian activists were assassinated and numerous bystanders injured following an attack on the victims' car in Gaza City.

Further complicating an already difficult situation, Israel, the occupying Power, has openly defied international calls for its cooperation in the issue of the upcoming Palestinian Legislative Council elections, especially in Occupied East Jerusalem. Specifically, Israel, the occupying Power, has increased its draconian measures throughout the West Bank and further restricted the movement of civilians and forbidden Palestinian candidates to campaign in the occupied city. In fact, on 3 January 2006, Israeli occupation soldiers harassed and heckled Palestinian candidates, including current Palestinian Legislative Council member and peace activist Hanan Ashrawi, whose bodyguard was also arrested by the occupation forces. Other candidates, such as Mustafa Al-Barghouthi and Ahmad Ghuneim, were also harassed and heckled before being evicted from Occupied East Jerusalem. These latest inflammatory actions were consistent with Israel's declared intransigent position not to allow Palestinian residents of Occupied East Jerusalem to exercise their democratic right to elect their representatives to the Palestinian Legislative Council as they did in 1996. Further inflaming emotions in Occupied East Jerusalem are recent reports that tunnels are being dug and museums being built under the Al-Aqsa Mosque compound, threatening the holy compound with collapse.

It is crucial to emphasize here that these steps threaten the entire election process, as they undermine the candidates' rights to campaign freely in their districts and citizens' rights to hear their candidates. Furthermore, the Palestinian leadership has made it absolutely clear that elections will not proceed if residents of Occupied East Jerusalem are not allowed to participate. Hence, the actions of Israel, the occupying Power, in Occupied East Jerusalem directly threaten this vital political step in the Occupied Palestinian Territory.

Israel's flagrant violations of its obligations under the road map and international law have not stopped there. Israel, the occupying Power, continues to act in flagrant violation of the advisory opinion of the International Court of Justice, rendered on 9 July 2004, on the legality of building a wall in the Occupied

Palestinian Territory, including East Jerusalem. A year ago, the occupying Power declared the completion of the first section of the illegal wall, running from Jenin to Qalqiliya in the West Bank. The second phase is also under way and is marked by rapid construction around Jerusalem, Ramallah, Bethlehem and Hebron. Just this week, Israeli occupation forces confiscated 53 dunums of Palestinian land in the villages of Yatta, Dhahiriya and Sammu, south of Hebron, while in the historic village of Abboud near Ramallah, construction of the wall is ongoing in four different directions. Meanwhile, and away from public attention Israel, the occupying Power, is now engaged in the third phase of the wall, which will annex and ethnically cleanse the Jordan Valley, in the process confiscating thousands of acres of Palestinian land and demolishing hundreds of homes. Also in serious violation of international law and Security Council resolutions was the decision taken by Shaul Mofaz, the Israeli Defence Minister, on 14 December to allow the construction of 40 new houses in the illegal settlements of Baracha, Nokdim and Ariel in the northern West Bank and 200 new houses in the illegal settlement of Maaleh Adumim, which lies a few kilometres to the east of Occupied Jerusalem.

The international community, in accordance with the rules and principles of international law, including international humanitarian law, has clear responsibilities in terms of ensuring the proper conduct of the occupying Power, including compliance with its legal obligations and commitments. Moreover, measures must be taken to prevent the escalation of this Israeli military campaign against the Palestinian civilian population, which remains helpless and without any protection from the brute force of the occupying Power. The continuation and intensification of Israel's military campaign against the Palestinian people will clearly lead only to more bloodshed and suffering by innocent civilians on both sides, which should be avoided at all costs.

The present letter is in follow-up to our previous 227 letters to you regarding the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, since 28 September 2000. These letters, dated from 29 September 2000 (A/55/432-S/2000/921) to 8 December 2005 (A/ES-10/313-S/2005/771) constitute a basic record of the crimes committed by Israel, the occupying Power, against the Palestinian people since September 2000. For all these war crimes, State terrorism and systematic human rights violations committed against the Palestinian people, Israel, the occupying Power, must be held accountable and the perpetrators brought to justice.

Accordingly, in follow-up to the above-mentioned letters, it is my profound regret to inform you that, since our last letter to you, at least 30 more Palestinians have been killed by the Israeli occupying forces, raising the total number of martyrs killed since September 2000 to 3,804. (The names of the martyrs that have been identified are listed in the annex to the present letter.)

I would be grateful in you would arrange to have the present letter and its annex distributed as a document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

(*Signed*) Riyad Mansour
Ambassador
Permanent Observer of Palestine to the United Nations

Annex to the identical letters dated 5 January 2006 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

Names of martyrs killed by the Israeli occupying forces in the Occupied Palestinian Territory, including East Jerusalem (Monday, 14 November 2005, to Wednesday, 4 January 2006)

Monday, 14 November 2005

1. Imad Abdelal
2. Misbah Salem Ali Al-Aydi

Thursday, 17 November 2005

1. Ahmed Saber Mahmoud Abahera
2. Mahmoud Jamal Mohammad Zidane

Friday, 18 November 2005

Zayd Omar Abdelkader Abu Esha

Wednesday, 23 November 2005

Saleh Fayez Ahmad Fakha

Thurday, 8 December 2005

1. Mahmoud Al-Arkan
2. Eyad Al-Najjare
3. Eyad Kaddas

Sunday, 11 December 2005

1. Khadre Rayan
2. Eyad El-Hashashe

Tuesday, 13 December 2005

Mohammad Al-Qara

Wednesday, 14 December 2005

1. Hamdane Mhana
2. Husam Abu Al-Nada
3. Mohammad Joha
4. Rashad Erhayem

Thursday, 15 December 2005

Yasser Kamile

Friday, 16 December 2005

Mahmoud Ali Hussain Shawawra

Saturday, 17 December 2005

1. Khaled Samir Abu Sitta
2. Lokmane Abu Zekry (17 years old)

Wednesday, 21 December 2005

Zayed Solaiman Shalhoub

Thursday, 22 December 2005

1. Bashar Abdellatif Hanani
2. Annas Ahmad Mahmoud Al-Shaikh
3. Ahmad Abderaouf Al-Jayoussi
4. Ibrahim Ahmad Mostafa Al-Naanaa

Saturday, 31 December 2005

1. Hamza Jehad Hamdouna
2. Moataz Ahmad Moslimi Hamdouna

Tuesday, 3 January 2006

1. Said Abu Al-Jidian
2. Akram Qadas

Wednesday, 4 January 2006

Mustafa Ibrahim Mohamed